

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

HAZEL M. ROBY, etc.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05CV494-T
	)	[WO]
BENTON EXPRESS, INC.,	)	
	)	
Defendants.	)	

**ORDER ON MOTION**

This matter is before the court on the plaintiff's motion to strike and/or quash depositions noticed by the defendant (Doc. # 42).<sup>1</sup> The motion was filed on 14 December 2005 and apparently sought, *inter alia*, to prevent depositions from taking place yesterday, 15 December. Having been advised by counsel for both parties that the depositions have already occurred, the court finds that the motion to quash is now moot. To the extent that the motion seeks to strike depositions for trial purposes, it is premature and beyond the scope of the undersigned Magistrate Judge's purview, which, in this case, is limited to discovery matters. Therefore, it is hereby

ORDERED that the motion to strike and/or quash is DENIED.

DONE this 16th day of December, 2005.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>This order does not address the plaintiff's motion to compel the taking of expert depositions (Doc. # 42).